



C.S.No.302 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 10.04.2023

PRONOUNCED ON : 07.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.S.No.302 of 2014

M/s.Sangeetha Caterers and Consultants LLP

Represented by its Designated partners

1.P.Rajagopal

2.P.Suresh

Having Registered office No.7,

Gandhi Nagar, First Main Road, 4th Floor,

Adyar, Chennai – 600 020.

... Plaintiff

(Amended as per order dated 20.12.2021

in Application No.4716 of 2021)

VS

NEW SANGEETHA RESTAURANT

No.45 Palai Road, OPP. Cruz Fernandez Statue,

Thoothukkudi,

Tamil Nadu – 628002.

... Defendant

Prayer: Civil Suit is filed under Order IV Rule 1 of the Original Side Rules read with Order VII Rule 1 of the Code of Civil Procedure, 1908 and Sections 134 and 135 of the Trade Marks Act, 1999,

(a) Granting a permanent injunction restraining the Defendant, its servants or agents or anyone who claiming through them from in any manner



infringing the Plaintiff's registered trade mark "**SANGEETHA**" by using the offending, identical and/or deceptively similar trade mark '**NEW SANGEETHA**' for its identical restaurant business or any other mark or marks which are deceptively similar to or a colourable imitation of the Plaintiff's celebrated, well known and well established, Registered trade mark "**SANGEETHA**" either by manufacturing or selling or offering for sale or in any manner advertising the same;

b) Granting a permanent injunction restraining the Defendant, its servants or agents or anyone claiming through them from in any manner passing off of its "restaurant business" by using the offending identical and/or deceptively similar mark "**NEW SANGEETHA**", as and for that of the celebrated restaurant business of the Plaintiff under the well known, well established and Registered trade mark "**SANGEETHA**" by selling or offering for sale, or in any manner advertising the same;

c) Directing the Defendant to render true and faithful accounts of the profits earned by it by using the offending identical and/or deceptively similar trade mark "**NEW SANGEETHA**", and payment of such profits to the Plaintiffs for the passing off committed by the Defendant;

d) Directing the Defendant to surrender all the unused offending bill books, name board, packing materials and other stationery articles bearing the offending trade mark "**SANGEETHA**" or "**NEW SANGEETHA**", for destruction;

e) Directing the Defendant to pay to the Plaintiff the cost of the suit;
and



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f) Pass such further or other orders as may be deemed fit and proper on the facts and circumstances of the case and thus render justice.

For Plaintiffs : Mr.L.Rajasekar

For Defendant : Mr.K.M.Anand
for Mr.M.Dinesh

J U D G E M E N T

The plaintiff herein filed a suit seeking permanent injunction restraining the defendant from infringing plaintiff's registered trade mark 'SANGEETHA' by using the offending trade mark 'NEW SANGEETHA' and also for injunction restraining the defendant from passing off its restaurant business as that of the plaintiff. The plaintiff also sought for a direction to defendant to render true accounts of profits earned by it by using the offending trade mark and also for a direction to defendant to surrender all the unused offending bill books, name board, packing materials and other stationery articles bearing offending trade mark 'SANGEETHA OR NEW SANGEETHA' for destruction.

Plaint Averments:-

2 (i). The plaintiff is a Limited Liability Partnership Firm having two



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Designated Partners namely P.Rajagopal and P.Suresh. The said P.Suresh had established Hotel Sangeetha in the year 1985. Originally the plaintiff was a Partnership Firm having the present designated partners as its partners. The trade mark 'SANGEETHA VEG RESTAURANT' was originally registered in the name of P.Rajagopal. After formation of Partnership Firm in the year 2001, the trade marks held by the two partners individually were assigned to the firm by way of Assignment Deed dated 28.06.2006. Subsequently, the trade marks that stood in the name of original Partnership Firm were sought to be registered in the name of the present plaintiff by submitting Form-24 dated 19.02.2016. The plaintiff received a communication from Trade Marks Registry on 17.03.2018 informing that the application for change of ownership was allowed for the registered trade marks. Thus, plaintiff has got Trade Mark Registration for the trade marks namely 'Sangeetha with Veena Mark', 'SVR Sangeetha', 'SVR Sangeetha Veg Restaurant' and 'Sangeetha Veg Restaurant with Veena Mark' in Class-42. The plaintiff also got Legal Use Certificate for the above mentioned four trade marks from the Registrar of Trade Marks.



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2 (ii). It was averred by the plaintiff that it has been running number of restaurants under the names of above mentioned trade marks. The plaintiff, in order to protect the artistic work of the word 'SANGEETHA' had also registered the same under the Copyrights Act, 1957. It was also averred by the plaintiff that it was a pioneer in the Food, Beverage and Restaurant Industry and by virtue of its hard work had acquired an impeccable reputation amongst their customers and had reached the Pinnacle in their reputation.

2 (iii). It was also stated that the turnover of the restaurants operating under the above said trade mark 'SANGEETHA' runs to several crores and the plaintiff had spent several crores of rupees for the promotional activities of their registered trade mark.

2 (iv). The plaintiff had come to know about running of restaurants in the deceptively similar name 'NEW SANGEETHA RESTAURANT' by the defendant and immediately, a cease and desist notice was issued to the defendant on 24.05.2006. The defendant issued a reply notice dated 12.06.2006 denying any knowledge of plaintiff's trade mark and also stated



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they had no intention to infringe the plaintiff's trade mark. However, recently, the plaintiff came to know about the infringing activities of the defendant and hence, a fresh cease and desist notice dated 23.08.2013 was issued to the defendant asking them to immediately cease and desist from using identical/deceptively similar mark. The defendant issued a reply claiming that the impugned mark was a common name and refused to comply with demand made by the plaintiff. The defendant also opened a webpage in the name of deceptively similar mark 'NEW SANGEETHA RESTAURANT'. It was also stated by the plaintiff that defendant by using the identical/deceptively similar mark by adding a prefix 'NEW' infringing the registered trade mark of the plaintiff and thereby, diluting the image and goodwill of the plaintiff. It was also stated that adoption of similar trade mark by the defendant for an identical business clearly points to the defendant's intention to mislead the consumers and to commit passing off its restaurant business with that of the plaintiff's well known restaurant. On these pleadings, the plaintiff sought for above said reliefs.

Averments found in the written statement:-

3 (i) The defendant filed his written statement and contended that the



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word 'Sangeetha' was a common Sanskrit name which denotes 'Gift of God/Melodious Music'. It was also stated that plaintiff was known only for Kanada sambar and they were known only for Kandaika food variety and whereas, the defendant, who hailed from Thootukudi had the style of Thootukudi food variety which was completely different from what had been prepared by the plaintiff.

3 (ii) It was also averred in the written statement that the plaintiff issued a cease and desist notice as early as 24.05.2006 and after reply by the defendant on 12.06.2006, the plaintiff had been quiet for almost eight years and thereby, they had lost the right to file the present suit as envisaged under Section 33 of the Trade Marks Act, 1999.

3 (iii) The defendant also claimed that it has been running the restaurant in the name of its Proprietor's wife, who had born on 12.01.1979, well prior to the incorporation of the plaintiff. The defendant also claimed it had no intention of taking advantage of the plaintiff's reputation. The defendant also claimed that the time limit for filing the suit got expired in



2011, the present suit filed in the year 2014 was time barred one. On these pleadings, the defendant sought for dismissal of the suit.

Issues:-

4. This Court on going through the pleadings of the parties framed the following issues for trial:-

- “1. Whether the suit is barred by limitation?*
- 2. Whether the plaintiff acquiesced in the use of the impugned marks by the defendant?*
- 3. Whether the defendant's use of the mark SANGEETHA is protected in terms of Section 35 of the Trade Marks Act 1999?*
- 4. Whether the use of the mark SANGEETHA by the defendant constitutes infringement of the plaintiff's registered trade mark SANGEETHA?*
- 5. Whether the defendant is passing off its services as that of the plaintiffs by using the mark SANGEETHA along with the trade dress relating thereto for its restaurant business?*
- 6. Whether the plaintiff is entitled to the reliefs prayed for?*
- 7. Whether the parties are entitled to any other reliefs?”*



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Evidence:-

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5. On behalf of the plaintiff, one of the Designated Partner of the plaintiff was examined as PW.1 and 20 documents were marked as Exs.P1 to P20. On behalf of the defendant, the Proprietor of the defendant was examined as DW.1 and 12 documents were marked on it's side as Exs.D1 to D12.

Argument of the learned counsel for the plaintiff:-

6. The learned counsel for the plaintiff by taking this Court to Exs.P4 to P7, Registration Certificate issued by Trade Marks Registry, submitted that the plaintiff is the registered owner of the trade marks 'SVR SANGEETHA', 'SANGEETHA (DEVICE OF VEENA)', 'SANGEETHA VEG. RESTAURANT-SVR' and 'SANGEETHA VEG. RESTAURANT (DEVICE OF VEENA)'.

7. The learned counsel by taking this Court to Ex.P20 submitted that the application filed by the defendant for registration of it's trade mark 'NEW



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'SANGEETHA RESTAURANT' was refused by Trade Marks Registry on the ground that it was similar to the already registered trade mark of the plaintiff.

The learned counsel also by taking this Court to Sections 29(2)(c), 29(5) and 29(9) of the Trade Marks Act, 1999, submitted by using a trade mark identical to that of the registered trade mark of the plaintiff, the defendant had committed act of infringement.

8. The learned counsel by taking this Court to the reply notice issued by the defendant for the cease and desist notice of the plaintiff, submitted that in the reply notice the defendant clearly mentioned that he has changed the name of its business and reiterated that it had no intention to do business by copying the plaintiff's trade mark. Therefore, the learned counsel submitted that in view of the reply issued by the defendant that it had changed its name, the plaintiff has not taken any further steps in pursuance of earlier cease and desist notice. Subsequently, recently the plaintiff came to know about the infringement by the defendant and thereafter, a fresh cease and desist notice was issued and a suit was filed. In such circumstances, the suit cannot be termed as time barred.

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WEB COPY 9. In support of his contention, the learned counsel for the plaintiff relied on the following judgements:-

- (i) ***K.R.Chinna Krishna Chettiar vs. Shri Ambal and Co., Madras and another reported in 1969 (2) SCC 131.***
- (ii) ***Renaissance Hotel Holding INC vs. B.Vijaya Sai and others reported in (2002) 5 SCC 1.***
- (iii) ***Cadbury India Limited and others vs. Neeraj Food Products reported in CDJ 2007 DHC 1788.***
- (iv) ***GSK Consumer Healthcare S.A. vs. EG Pharmaceuticals and Others unreported judgment of Delhi High Court dated 31.10.2019 in C.S.(Comm).No.238 of 2019.***

Argument of learned counsel for the defendant:-

10. The learned counsel for the defendant submitted that the word 'Sangeetha' is not a registered trade mark and hence, the plaintiff's action for infringement of said trade mark was not maintainable. The learned counsel further submitted that first cease and desist notice was issued by the plaintiff



in the year 2006. However, the suit was filed only in the year 2014 and hence, the plaintiff is guilty of acquiescence.

11. The learned counsel further submitted that the name of defendant proprietor's wife was Sangeetha and hence, he started its business in the name of his wife and consequently, the present action for infringement of trade mark would not lie as he was a *bona fide* user. In support of his contention, the learned counsel for the defendant relied on the following judgments:-

- (i) Hindustan Pencils (P) Ltd., vs. India Stationery Products Co., reported in AIR 1990 Delhi 19.***
- (ii) Jolen Inc. vs. Doctor & Company reported in (2002) DLT 76.***
- (iii) Power Control Appliances vs. Sumeet Machines Pvt. Ltd., reported in 1994 SCC (2) 448.***
- (iv) Somashekar P Patil vs. D V G Patil unreported judgment of Karnataka High Court dated 08.05.2018 in Miscellaneous First Appeal No.2707 of 2018 (IPR).***
- (v) Chronicle Publications (P) Ltd. vs. Chronicle Academy Pvt. Ltd.,***



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reported in 2010 SCC Online Del 1497.

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Issues Nos.1 and 2:-

12. One of the main contention raised by the learned counsel for the defendant was that the plaintiff having issued cease and desist notice in the year 2006 kept quiet for nearly eight years to file the present suit and hence, he was guilty of acquiescence and the suit is hopelessly barred by limitation. It is not in dispute that the plaintiff issued its first cease and desist notice on 24.05.2006 as it was admitted by the plaintiff in his pleadings. The defendant issued a reply notice for the same on 12.06.2006. The said reply notice issued by the defendant was marked as Ex.P11.

13. A perusal of the reply notice would suggest that the defendant denied knowledge of plaintiff's registered trade mark. The defendant claimed that the proprietor of the defendant got married in the year 2005 and out of love and affection towards his wife, he started the restaurant in the name and style of 'Sangeetha Restaurant'. Further, it was claimed by the defendant in his reply notice that it has changed the name of its business and reiterated that the



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defendant had no intention to do business by copying the plaintiff's trade mark name.

14. A reading of reply notice issued by the defendant would make it clear that he categorically claimed that it changed the name of its business and the defendant had no intention to copy the trade mark of the plaintiff. Any normal prudent person, who reads the reply notice of the defendant would infer that in response to the cease and desist notice issued by the plaintiff, the defendant changed its name and expressed its intention not to use the trade name of the plaintiff. However, the learned counsel for the defendant submitted that originally the defendant had carried on business in the name of 'Agadyas Food' and it was changed to 'New Sangeetha Restaurant' on 01.10.2006. The defendant in it's reply notice only mentioned the said name change and it cannot be interpreted as the act of desisting from using the word 'Sangeetha' in response to the cease and desist notice of the plaintiff. However, the interpretation now sought to be made by the learned counsel for the defendant to Paragraph No.4 of it's reply notice cannot be accepted in the absence of specific averment to that effect. In Paragraph No.4



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of its reply notice, the defendant had averred as follows:-

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“4. My client has already changed the name of his business. My client reiterates that he has no intention to do business by copying your clients trade marks name.”

15. Any ordinary prudent person, who comes across such a reply could only infer that in response to cease and desist notice issued by the plaintiff, the defendant changed it's name and reiterated it's intention not to copy the registered trade mark of the plaintiff. Therefore, the submission made by the learned counsel for the plaintiff that in view of the reply notice issued by the defendant informing the plaintiff about change of name and intention not to copy the registered trade mark of the plaintiff, the plaintiff has not initiated any action for infringement of trade mark and lateron, in the year 2013, when it came to plaintiff's knowledge, defendant started running a restaurant in the name 'NEW SANGEETHA RESTAURANT', a fresh cease and desist notice was issued on 23.08.2013 and after receiving an unfavourable reply from the defendant, the present suit was filed in April-2014 is acceptable to this Court.



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WEB COPY 16. The fresh cease and desist notice was issued under Ex.P12 on 23.08.2013. The defendant issued a reply notice under Ex.P13 on 16.09.2013 and thereafter, the present suit was filed by the plaintiff during April-2014. Hence, it cannot be stated that the plaintiff is guilty of acquiescence and the suit is barred by limitation. In view of the fresh cause of action, the plaintiff filed a suit immediately within the reasonable time from the date of issuing fresh cease and desist notice.

17. In the light of earlier reply notice issued by the defendant, I cannot say the plaintiff allowed the defendant to develop business by spending huge amount and after defendant established its business to the knowledge of the plaintiff, in order to crush the business of the defendant, the suit has been filed. In view of the peculiar circumstances of this case, the judgments relied on by the learned counsel for the defendant in support of his contention regarding acquiescence are not helpful to his case. Accordingly, the Issues Nos.1 and 2 are answered in favour of the plaintiff and against the defendant.



Issues Nos.3, 4 and 5:-

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18. The learned counsel for the defendant submitted that 'Sangeetha' is the name of the defendant Proprietor's wife and defendant has been running the restaurant in the name of his wife and hence, he is a *bona fide* user of the mark adopted by him. In nutshell, it is the contention of the learned counsel for the defendant that being a *bona fide* user, the defendant is protected under Section 35 of the Trade Marks Act, 1999.

19. Section 35 of the Trade Marks Act, 1999, reads as follows:-

“35. Saving for use of name, address or description of goods or services.- Nothing in this Act shall entitle the proprietor or a registered user of a registered trade mark to interfere with any bona fide use by a person of his own name or that of his place of business, or of the name, or of the name of the place of business, of any of his predecessors in business, or the use by any person of any bona fide description of the character of quality of his goods or services.”

20. A reading of above section would make it clear that the registered owner of a trade mark is not entitled to interfere with *bona fide* use by any



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person of the following names:-

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- a) His own name;
- b) His place of business;
- c) Name of his predecessors in business;
- d) Name of the place of business of his predecessors;
- e) Any *bona fide* description of the character of quality of goods or services.

21. The protection available to the *bona fide* use is restricted to the above mentioned names. Therefore, the protection available under Section 35 of Trade Marks Act, 1999, is not available to the names of the spouses of the person, who adopts the trade mark.

22. In the case on hand, both the plaintiff and defendant are engaged in identical business namely restaurant business. The learned counsel for the defendant by relying on the judgment in ***Chronicle Publications (P) Ltd. vs. Chronicle Academy Pvt. Ltd.***, reported in ***2010 SCC Online Del 1497.***, submitted that the plaintiff failed to establish it acquired distinctiveness and



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offending trade mark used by the defendant would cause confusion in the mind of the general public. In the case law relied on by the learned counsel for the defendant, the parties were engaged in different class. On the other hand, in the case on hand, both the parties are engaged in restaurant business, therefore, the said case law would not advance the case of the defendant.

23. The plaintiff is a registered owner of the trade mark namely, 'Sangeetha with Veena Mark', 'SVR Sangeetha', 'SVR Sangeetha Veg Restaurant' and 'Sangeetha Veg Restaurant with Veena Mark'. The same has been established by registration certificate produced by the plaintiff under Exs.P4 to P7. The defendant has been using the trade mark 'NEW SANGEETHA RESTAURANT'. Therefore, only difference in the registered trade mark of the plaintiff and offending trade mark of the defendant is the prefix 'NEW' added by the defendant. Since the defendant has added the prefix 'NEW', I cannot say the registered trade mark of the plaintiff and that of the defendant are identical. On the other hand, if the combination of the word registered by the plaintiff and the combination of the words used by the defendant are compared as a whole, I can certainly come to a conclusion that



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the combination of the words 'NEW SANGEETHA RESTAURANT' is deceptively similar to the registered trade marks of the plaintiff. Both the plaintiff and defendant are engaged in similar business, the plaintiff use the letters 'SVR' in small font as a prefix to the word 'Sangeetha' in bold letters followed by suffix Veg Restaurant.

24. On the other hand, the defendant in his trade mark replace the letters 'SVR' by the word 'NEW' with small letters. When both the registered trade marks of the plaintiff and that of the defendant are compared with the main words 'SANGEETHA' in bold letters and the respective prefix and suffix are in small letters certainly, the offending mark adopted by the defendant would cause confusion in the minds of the general public of average intelligence and imperfect recollection. Hence, this Court comes to a definite conclusion that the case of the defendant is covered by Section 29(2)(b) of the Trade Marks Act, 1999. Therefore, I conclude that continued usage of offending mark 'NEW SANGEETHA RESTAURANT' by defendant would amount to infringement of registered trade mark of the plaintiff.



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25. It is also pertinent to note that the defendant herein attempted registration of its offending trade mark 'NEW SANGEETHA RESTAURANT' by making an application before the Trade Marks Registry in TM Application No.1992198 dated 12.07.2010 as found in Ex.P20. The said application was refused by the Trade Marks Registry on the ground that plaintiff's trade mark was already registered pertains to services of providing food and drink, catering services, hotels and restaurant services. Ex.P20 was confronted with defendant side witness DW.1 and the same was admitted by him.

26. When defendant's witness namely proprietor of the defendant DW.1 was confronted in cross examination about the application filed by him for registration of its trade mark, he deposed that he had applied for registration and the same was stayed by this Court. When it was suggested to him that the defendant's application for registration of its trade mark was rejected in 2010, he denied it. However, when the defendant witness confronted with Ex.P20, he admitted it and the same was marked through him. Thus, it is clear that the defendant applied for registration of his offending trade mark 'NEW SANGEETHA RESTAURANT' and the same



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was rejected by the Trade Marks Registry citing registration of similar trade marks earlier.

27. When the application of the defendant for registration of its combination of words was rejected by Trade Marks Registry citing the registration of similar trade mark by the plaintiff earlier, it lends support to the case of the plaintiff that the continued usage of the offending trade mark deceptively similar to the registered trade mark of the plaintiff, would result in infringement of its trade mark rights.

28. The defendant, who is also engaged in identical business is not entitled to commit passing off of its services by using trade mark similar to that of the plaintiff. Accordingly, Issues Nos.3, 4 and 5 are answered in favour of the plaintiff and against the defendant.

Issues Nos.6 and 7:-

29. In view of the answers given by this Court to the earlier Issues



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Nos.1 to 5, the plaintiff is entitled to decree for permanent injunction against the defendant as prayed for. The plaintiff has not let in any evidence to prove the extent of damage or loss suffered by it on account of use of offending trade mark by defendant. The plaintiff has not examined any independent witness in support of his case that he suffered actual loss due to the usage of offending mark by the defendant. In the absence of any acceptable evidence available on record to establish the exact quantum of loss suffered by the plaintiff, the plaintiff is not entitled to seek recovery of any profits earned by the defendant. Therefore, the plaintiff has not made out any case for granting decree in respect of prayer 'C' in the plaint and consequently, the same is rejected.

30. In view of this Court's finding in Issues Nos.1 to 5, the defendant is not entitled to retain the bill books, name board, packing materials and other stationery articles bearing the offending trade mark 'SANGEETHA OR NEW SANGEETHA RESTAURANT' and therefore, the defendant is liable to surrender all unused stationery articles bearing offending trade mark for destruction. Accordingly, the plaintiff is entitled to a decree directing the



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defendant to surrender all materials containing the offending trade mark for destruction.

31. In the facts and circumstances of the case, the plaintiff is entitled to recover the cost of the suit from the defendant.

Conclusion:-

The Civil Suit is partly decreed as follows:-

- a) By granting decree for permanent injunction restraining the defendant from infringing the registered trade mark of the plaintiff namely, 'Sangeetha with Veena Mark', 'SVR Sangeetha', 'SVR Sangeetha Veg Restaurant' and 'Sangeetha Veg Restaurant with Veena Mark'.
- b) The plaintiff is entitled to decree for permanent injunction restraining the defendant from committing passing off of its restaurant business by using deceptively similar trade mark 'NEW SANGEETHA RESTAURANT' similar to that of the registered trade mark of the plaintiff.
- c) The civil suit is dismissed in respect of prayer 'C'.



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d) The defendant is directed to surrender all unused offending materials like bill books, name board, packing materials and other stationery articles bearing the offending trade mark 'NEW SANGEETHA RESTAURANT' for destruction.

e) The defendant is directed to pay the cost of the suit to the plaintiff.

07.06.2023

Index : Yes
NCC : Yes
dm



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List of witnesses examined on the side of the plaintiff:-

1. P.W.1-Mr.P.Rajagopal-Designated Partner of the Limited Liability Partnership Firm.

List of documents marked on the side of the plaintiff:-

Sl. No.	EXHIBITS	DATE	DESCRIPTION
1.	P1	01.04.2015	Partnership Deed of the Plaintiff Firm
2.	P2	01.04.2015	Conversion Certificate of the Plaintiff Firm
3.	P3	01.04.2017	Re-constituted Partnership Deed of the Plaintiff Firm
4.	P4	23.10.2018	Trade mark Certificate of the Plaintiff Firm bearing TM No: 1441849
5.	P5	23.10.2018	Trade mark Certificate of the Plaintiff Firm bearing TM No:1441854
6.	P6	23.10.2018	Trade mark Certificate of the Plaintiff Firm bearing TM No:1464536
7.	P7	23.10.2018	Trade mark Certificate of the Plaintiff Firm bearing TM No:1464537
8.	P8	04.09.2002	Copyright Registration Certificate of the Plaintiff Firm bearing No:A-62353/2002
9.	P9	16.01.2004	Copyright Registration Certificate of the Plaintiff Firm bearing No: A-65971/2004
10.	P10		Customer Review of the Plaintiff Firm from the website www.tripadvisor.com
11.	P11	12.06.2006	Reply Notice from the Defendant
12.	P12	23.08.2013	Legal Notice from the Plaintiff Firm along with Acknowledgement Card
13.	P13	16.09.2013	Reply Notice from the Defendant
14.	P14		Print Out of the Defendant's Webpage
15.	P15		Certifying Affidavit under Section 65B of the Evidence Act
16.	P16	08.11.2013	Public Caution Notice Published by the Plaintiff Firm in Hindu Newspaper Daily
17.	P17	02.06.2020	Article Published about the Plaintiff Firm in New Indian Express Daily



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Sl. No.	EXHIBTS	DATE	DESCRIPTION
18.	P18	10.08.2011	Affidavit of Mr.Pattu Kumar
19.	P19	11.08.2011	Objections raised by the Agent of the Defendant to the Examination Report
20.	P20	07.11.2022	Main Page of the E-Register showing the application status of the Defendant firm

List of witness examined on the side of the 1st Defendant:-

1. D.W.1-Mr.Pattukumar-Proprietor of New Sangeetha Restaurant

List of documents marked on the side of the 1st Defendant:-

Sl. No.	EXHIBTS	DATE	DESCRIPTION
1.	D1		PAN AND Aadhar Card of Ms.Sangeetha
2.	D2		PAN Card of Defendant's Proprietor
3.	D3	09.09.2008	Contract between Defendant and PSA SICAL Terminals Limited
4.	D4	22.10.2008 to 17.03.2009	Various payments made by the PSA SICAL Terminals limited to Defendant
5.	D5	02.06.2009	TDS Certificate issued by PSA SICAL terminals Limited
6.	D6		Various bills issued by Defendant
7.	D7		Invoice issued by SODEXO SVC India (P) Limited
8.	D8	06.03.2017 to 05.03.2018	Certificate issued by FSSAI to Defendant
9.	D9	24.04.2019 to 23.04.2020	Certificate issued by FSSAI to Defendant
10.	D10	04.01.2022	Certificate issued by FSSAI to Defendant
11.	D11	05.05.2017	Visit Note issued ESI
12.	D12	18.05.2022	Defendant's Trade License Renewal



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dm

Pre-delivery Judgment in
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07.06.2023